



THE ERIE COUNTY LEGISLATURE

Session No. 13
June 26, 2008

Lynn M. Marinelli
Chair

Maria R. Whyte
Majority Leader

John J. Mills
Minority Leader

Robert M. Graber
Clerk of the Legislature

ROLL CALL

INVOCATION – Ms. Iannello

PLEDGE OF ALLEGIANCE – Mr. Wroblewski

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

MARINELLI	Honoring Elaine DeFranks Upon Her Retirement from the Erie County Clerk's Office
IANNELLO	Honoring Anthony and Concetta Scoppechio Upon Their 70th Wedding Anniversary
IANNELLO	Honoring Van Miller Upon His Induction Into the NYS Broadcaster's Association's 2008 Hall of Fame
IANNELLO	Honoring Lindsay Amico Upon Being Named Youth of the Month for April 2008 by the Exchange Club of the Tonawandas
IANNELLO	Honoring Rachel Giuseppetti Upon Being Named Youth of the Year by the Lake Erie District of the National Exchange Club
IANNELLO	Honoring Brittany Stallard Upon Being Named Grand Island Chamber of Commerce Youth Ambassador for 2007-2008
IANNELLO	Honoring Hon. John LaFalce Upon Being Appointed to the NYS Banking Board
IANNELLO	Honoring Dominik Hasek Upon His Retirement from the National Hockey League
IANNELLO	Honoring Ali Sciandra Upon Winning the 2008 Allentown Art Festival Poster Design Contest
IANNELLO	Honoring Barbara Dorn Upon Her Retirement from the Village of Kenmore Clerk's Office
MILLER-WILLIAMS	Memorial Resolution Honoring Johnnie Tab Ray
MILLER-WILLIAMS	Memorial Resolution Honoring Henrietta Wilson

IANNELLO	Honoring Ciara Morreale Upon Being Named Grand Island Chamber of Commerce Youth Ambassador for 2007-2008
KOZUB	Honoring the Memory of Dennis Bigaj
REYNOLDS	Congratulating the Town of North Collins on Their New Town Hall
REYNOLDS	Congratulating Richard A. Smith Upon Having the New Highly Specialized Fully Wheelchair Accessible Excalibur Island Hopper Named After Him
KENNEDY	Honoring Trocaire College Upon the Celebration of Their 50th Anniversary
MILLER-WILLIAMS & GRANT	Honoring the Memory of Melvin Johnson
MILLER-WILLIAMS & GRANT	Honoring the Final Graduation Class of Seneca Vocational High School
MILLS	Recognizing Shane Biggs for His Heroic Acts
RATH	Honoring St. Gregory the Great Church Upon the Celebration of Their 50th Anniversary
KENNEDY	Celebrating the Life of Timothy J. Russert (1950-2008)
MARINELLI	Honoring Carmela Trippi Upon the Celebration of Her 99th Birthday
MARINELLI	Honoring George and Audrey Thomas Upon the Celebration of Their 50th Wedding Anniversary
MARINELLI	Honoring the Memory of Mary Oshirak (1923-2008)
MARINELLI & KOZUB	Congratulating the St. Francis High School 2008 Varsity Baseball Team Upon Winning its Third Consecutive Georgetown Cup

<u>LOCAL LAWS:</u>			<u>REFERENCE:</u>
LL INT. 1-1 1/16/2007	MILLS, RANZENHOFER & WEINSTEIN	A LL Requiring Elected Officials to Resign From Office Upon Being Convicted of a Misdemeanor or Felony	Government Affairs
LL INT. 3-2 6/28/2007	IANNELLO, MARINELLI, REYNOLDS, KONST, LOUGHRAN, LOCKLEAR, RANZENHOFER, MILLS and WEINSTEIN	A LL Amending Article II, Section 202 of Local Law No. 7-2007, Known as the Erie County Charter	Government Affairs
LL INT. 8-1 7/18/2007	IANNELLO, KONST, REYNOLDS & MILLS	Taxpayer Protection Law	Government Affairs
LL INT. 9-1 10/4/2007	RANZENHOFER	Repeal of LL No. 2-2006	Economic Development

LL INT. 2-1 3/18/2008	RANZENHOFER, MILLS & RATH	A LL Requiring Businesses to Verify that Employees are Legally Eligible to be Employed in the US and Erie County	Economic Development
LL INT. 3-2 4/4/2008	IANNELLO, KONST, REYNOLDS, MILLS, GRANT & LOUGHRAN	Tax Payer Protection Law	Government Affairs
LL INT. 5-1 6/10/2008	MILLS	A Local Law to Change the Name of the Department of Environment and Planning to the Department of Economic Development, Environment and Planning and Update Position Titles	Energy & Environment

COMMITTEE REPORTS:

REPORT NO. 10 FINANCE & MANAGEMENT COMMITTEE

REPORT NO. 10 HEALTH & HUMAN SERVICES COMMITTEE

REPORT NO. 10 COMMUNITY ENRICHMENT COMMITTEE

REPORT NO. 10 ECONOMIC DEVELOPMENT COMMITTEE

REPORT NO. 8 GOVERNMENT AFFAIRS COMMITTEE

REPORT NO. 8 ENERGY & ENVIRONMENT COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

INTRO 13-1	RATH, MILLS & RANZENHOFER	Urging Passage of "Jilly's Law" (S.112/A.777)
INTRO 13-2	WHYTE & REYNOLDS	Employee Free Choice Act
INTRO 13-3	WHYTE	Encouraging Governor Paterson Signing Into Law A.8059C and S.5366C
INTRO 13-4	REYNOLDS & KOZUB	Changing the Current EC Charter Sec. 202.2 by Increasing the Term of Office for Members of the County Legislature from Two to Four Years

INTRO 13-5	MAZUR, REYNOLDS, MARINELLI, WHYTE, MILLS, KOZUB, KENNEDY, MILLER- WILLIAMS, GRANT, IANNELLO, LOUGHRAN & RATH	Opposing a Proposed NYS Moratorium on New Community Optional Preventive Services (COPS) Including Operation Prime Time In Erie County
INTRO 13-6	MILLS & RANZENHOFER	Urging the Passage of "Michelle and Jordan's Law" (S.8020A)
INTRO 13-7	RANZENHOFER, MILLS & RATH	Supporting the Taxpayer Empowerment and Accountability Plan

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

REFERENCE:

COMM. 13E-1	COMPTROLLER	Audit of the Department of Social Services Internal Controls Over Cash Receipts, Cash Disbursements and Near-Cash Equivalents	Health & Human Services
COMM. 13E-2	COUNTY EXECUTIVE, COMPTROLLER, MARINELLI, WHYTE, & MILLS	Erie County Request for Expeditious Passage of A.11610 and S.8571	R&F

COMM. 13E-3	MILLER-WILLIAMS	Letter of Absence From June 26, 2008 Session	RFP
COMM. 13E-4	MILLER-WILLIAMS	Letter of Absence From Committee Meetings During the Week of June 16-19, 2008	R&F
COMM. 13E-5	MILLER-WILLIAMS	Letter of Absence from June 20, 2008 Special Session	RFP
COMM. 13E-6	COUNTY CLERK	Letter Seeking Support for Efficiency Grant to Fund Relocation of Downtown Auto Bureau	Government Affairs
COMM. 13E-7	MILLS	Appointment to the Board of Directors for the Commission on the Status of Women	RFP
COMM. 13E-8	COUNTY EXECUTIVE	Payment In Lieu of Taxes (PILOT) Agreement for Amherst Station Apartments	Economic Development
COMM. 13E-9	COUNTY EXECUTIVE	Granting the Town of Lancaster a Permanent Easement on County Owned Inventory Land	Government Affairs
COMM. 13E-10	COUNTY EXECUTIVE	Centralized Real Property Tax Administration Program Grant	Finance & Management
COMM. 13E-11	COUNTY EXECUTIVE	DSS Lease Renewal - 290 Main Street	
COMM. 13E-12	COUNTY EXECUTIVE	Accept Funding From the City of Buffalo for City Pool Security	
COMM. 13E-13	COUNTY EXECUTIVE	Right-of-Way (ROW) Acquisition, Tonawanda Creek Road Reconstruction	
COMM. 13E-14	COUNTY EXECUTIVE	Appointment to the Erie County Board of Ethics	RFP
COMM. 13E-15	COUNTY EXECUTIVE	Emergency Services & Public Safety - 400MHz County-Wide Radio System	Public Safety
COMM. 13E-16	COUNTY EXECUTIVE	County-Wide Fire Suppression Study for Information Technology and Communication Rooms	Public Safety
COMM. 13E-17	COUNTY EXECUTIVE	Lake Shore Shoreline Trail - Drainage Phase 1	Economic Development
COMM. 13E-18	COUNTY EXECUTIVE	Jesse Nash Health Center - Roof Replacement	Economic Development
COMM. 13E-19	COUNTY EXECUTIVE	Intermunicipal Agreement with Niagara County, Replacement of Cedar Street Bridge	Economic Development

COMM. 13E-20	COUNTY EXECUTIVE	EC Holding Center and EC Correctional Facility Expansion Study	Public Safety
COMM. 13E-21	COUNTY EXECUTIVE	ECSD No. 1 - Broadway West Pump Station Elimination	Energy & Environment
COMM. 13E-22	COUNTY EXECUTIVE	ECSD No. 5 - CRA Infrastructure and Engineering Inc. Agreement - Merger Feasibility Study	Energy & Environment
COMM. 13E-23	COUNTY EXECUTIVE	ECSD No. 6 - Intermunicipal Agreement EC/ECSD #6/Lackawanna - Holland Avenue	Energy & Environment
COMM. 13E-24	COUNTY EXECUTIVE	NYS Water Pollution Control Revolving Loan Programs	Energy & Environment
COMM. 13E-25	COUNTY EXECUTIVE	Medicaid Revenue Recovery	Health & Human Services
COMM. 13E-26	COUNTY EXECUTIVE	Indigent Defense - Supplemental Appropriation	Health & Human Services
COMM. 13E-27	COUNTY EXECUTIVE	Partners for Prevention Clinical Services 4/1/2008-3/31/2013	Health & Human Services
COMM. 13E-28	COUNTY EXECUTIVE	DSS Non-Residential Domestic Violence Contracts	Health & Human Services
COMM. 13E-29	COUNTY EXECUTIVE	Amend Older Americans Act Title III Grant Budget	Health & Human Services
COMM. 13E-30	COUNTY EXECUTIVE	Project ACCESS - Office of Public Advocacy - Office for the Disabled	Health & Human Services

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

COMM. 13D-1	PUBLIC WORKS	Storm Water Annual Report Year 5	Energy & Environment
COMM. 13D-2	EMERGENCY SERVICES	Designation in the Event of Vacancy, Absence or Inability	R&F
COMM. 13D-3	LABOR RELATIONS	Designation in the Event of Vacancy, Absence or Inability	R&F
COMM. 13D-4	COUNTY ATTORNEY	Notice of Public Hearing: LL Intro. 4-2008	Community Enrichment
COMM. 13D-5	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 13D-6	DEPUTY COMPTROLLER - AUDIT	Letter Regarding Erie County Comptroller's Office Audit of Department of Senior Services - Client-Owned Assets Program	Health & Human Services

COMM. 13D-7	VETERANS SERVICES	Designation in the Event of Vacancy, Absence or Inability	R&F
COMM. 13D-8	DEPUTY COMPTROLLER - AUDIT	Letter Regarding Audit of Internal Controls in Erie County Division of Sewerage Management at Sewer District #3	Energy & Environment
COMM. 13D-9	PUBLIC WORKS	Performance Assurance Reports Pertaining to Energy Performance Contract for EC Sheriff's Department and B & EC Public Library	Economic Development
COMM. 13D-10	BUFFALO & ERIE COUNTY PUBLIC LIBRARY	Agenda & Minutes of Board of Trustees Meeting Held on June 19, 2008	Community Enrichment
COMM. 13D-11	ASSISTANT DIRECTOR FOR ADMIN, DEPARTMENT OF HEALTH	Revised Plan of Correction for the Article 28 Statement of Deficiencies	Health & Human Services
COMM. 13D-12	EC CENTRAL POLICE SERVICES	Designation in the Event of Vacancy, Absence or Inability	R&F

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE:

COMM. 13M-1	TOWN OF NEWSTEAD CLERK	Certified Resolution Regarding Support for Amendments to GML Section 239-N	Government Affairs
COMM. 13M-2	ECIDA	2007 Annual Report and Annual Independent Audit Report & Management Letter	Economic Development
COMM. 13M-3	NY DEPARTMENT OF ENVIRONMENTAL CONSERVATION	Notice Regarding Strategies for Ecosystem Protection	Energy & Environment
COMM. 13M-4	GREEN OPTIONS BUFFALO	Letter Supporting the Restoration of an Erie County Planning Board	Government Affairs
COMM. 13M-5	NYS FISH AND WILDLIFE MANAGEMENT BOARD	Region 9 FWMA Board Meeting Minutes for June 5, 2008	R&F
COMM. 13M-6	NYS DEPARTMENT OF HEALTH	Response Regarding Article 28D & TC Survey 1/10/2008, Status of Plan of Correction	Health & Human Services
COMM. 13M-7	GOVERNOR'S OFFICE	Acknowledgement of Receipt of Certified Resolution	R&F
COMM. 13M-8	SENATOR RATH	Acknowledgement of Receipt of Certified Resolution	R&F
COMM. 13M-9	SENATOR RATH	Acknowledgement of Receipt of Certified Resolution	R&F

COMM. 13M-10	NYS DEPARTMENT OF AGRICULTURE AND MARKETS	Request for Proposals for Farmland Protection Implementation Projects	Energy & Environment
COMM. 13M-11	VOICE-BUFFALO	Letter Supporting the Creation of an Erie County Planning Board	Government Affairs
COMM. 13M-12	MICHAEL S. CERRONE	Letter Supporting the Creation of an Erie County Planning Board	Government Affairs
COMM. 13M-13	COALITION FOR ECONOMIC JUSTICE	Letter Supporting the Recreation of an Erie County Planning Board	Government Affairs
COMM. 13M-14	LOCAL INITIATIVES SUPPORT CORP.	Letter Supporting the Recreation of an Erie County Planning Board	Government Affairs
COMM. 13M-15	GERALD E. KELLY	Letter Supporting the Establishment of an Erie County Planning Board	Government Affairs
COMM. 13M-16	PARTNERS FOR A LIVABLE WNY	Letter Supporting the Establishment of an Erie County Planning Board	Government Affairs
COMM. 13M-17	IAN R. MCPHERSON	Letter Supporting the Establishment of an Erie County Planning Board	Government Affairs
COMM. 13M-18	SHARON BENZ	Letter Supporting the Establishment of an Erie County Planning Board	Government Affairs

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: